

MEMO ENDORSED

Frankfurt Kurnit Klein + Selz PC

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November 4, 2021

VIA ECF

Hon. Ona T. Wang

Southern District of New York

500 Pearl St.

New York, NY 10007-1312

SO ORDERED:

Application GRANTED. The in-person status conference scheduled for November 30, 2021 is rescheduled to December 14, 2021 at 4:00 pm.



Ona T. Wang
United States Magistrate Judge

11/10/21

Re: Martinez v. Accelerant Media, LLC, et al.
No. 1:20-CV-09366-GBD-OTW

Dear Magistrate Judge Wang:

We represent Plaintiff Jamie Rio Martinez in the above-captioned action.

This Court's Initial Case Management Order, dated September 22, 2021 (ECF 35), scheduled the Initial Pretrial Conference pursuant to Rule 16(b) of the Federal Rules of Civil Procedure to take place on October 7, 2021. (ECF 35.) The Court granted Plaintiff's first request to reschedule the Conference to November 30, 2021, as well as Plaintiff's request to reschedule related dates. (ECF 38.)

Pursuant to Section I.E. of Your Honor's Individual Practices in Civil Cases, we respectfully request that the Court adjourn the Initial Pretrial Conference to December 14, 2021 or December 21, 2021. Since our prior extension request, we served the three Defendants on October 4, October 5, and October 21, 2021. (ECF 45-47.) None has appeared nor have we otherwise heard from any of them. This re-scheduling will either allow us to move forward substantively should any of the Defendants appear, or if, as seems likely, they do not appear within the statutory period, to move for a default judgment.

We also request related extensions of the parties' deadline to confer under Fed. R. Civ. P. 26(f), which is November 9, 2021, and the deadline to submit a Proposed Case Management Plan, which is November 23, 2021. Therefore, Plaintiff also requests an extension of the deadline to confer under Rule 26(f) to 21 days before the adjourned Initial Pretrial Conference date, and an extension of the deadline to submit a Proposed Case Management Plan to one week before the adjourned Initial Pretrial Conference date.

As noted above, Plaintiff has previously requested one adjournment in this matter, which was granted on September 30, 2021. (ECF 38.) We still do not know the identity of counsel for the Defendants. We also note that these Defendants did not appear in response to the original complaint filed in this case.

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Thank you for your consideration.

Respectfully submitted,

/s/ John B. Harris

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